Docket No. 000337   Serial No. 09/761,341

REMARKS/ARGUMENTS

The Office action dated August 9, 2005 has been carefully considered. Claims 1-4, 6-9, 11-15, 17-20, 22-27, and 29-30 are active and pending in this application. Further examination and reconsideration of the rejection of claims 1-9, 11-20, 22-30 and 32 are respectively requested.

CLAIM REJECTIONS UNDER 35 USC §102(e)

The rejection of claims 1-6, 8, 9, 11-17, 19, 20, 22-27, 29, 30, and 32 under 35 U.S.C. 102 (e) as being anticipated by art of record, Jou et al (US 6,480,472) is respectfully traversed. However, in order to further the prosecution of this application, claims 5, 16, and 28 have been canceled and claims 1, 12, and 23 have been amended. Claims 6 and 29 have also been amended to reflect a proper dependency in light of the cancellation of claims 5 and 28.

Claims 1, 12, and 23 now recite "an infinite impulse response filter (IIR) having an output clamped between two predetermined values" "for a predetermined number of past and present frames" (claim 1 and 12) and "for a value of n within a predetermined range."(claim 23). It is noted that there is no teaching or suggestion in Jou of an infinite impulse response filter. While IIR filters can achieve a given filtering characteristic using less memory and calculations than say a finite impulse response filter (FIR), by its nature, an infinite impulse response filter can tend to cause a system to become unstable. Applicants have addressed the instability potential by band-limiting the filter output, e.g. see page 10 of applicants specification where saturation is defined at $Y(n)>3)$ $Y(n)=3$ and $(Y(n)<-1)$ $Y(n) =-1$. This essentially translates into to providing a system and method of auto regression while keeping track of a limited number of previous results and yielding an inexpensive (contrasted with a FIR filter or other methods) and practical solution for frame classification. Although Jou alludes to the fact at column 5, line 49, that, "[t]here are a number of ways that a bad frame can be detected," the auto regressive technique presented by the IIR filter according to applicants invention does not number among the systems and methods disclosed. Consequently, it is submitted that Jou fails to teach or suggest applicants invention as now claimed. For this reason, in view of the foregoing

amendments to claims 1, 12, and 23, those limitations also being included in their dependent claims, this rejection is respectfully requested to be withdrawn.

CLAIM REJECTIONS UNDER 35 USC §103(A)

The rejection of claims 7, 18, and 28 under 35 U.S.C. 103(a) as being unpatentable over Jou and Chen (U.S. 6,335,990) is respectfully traversed. In addition to the points raised concerning Jou above, in view of the foregoing amendments, Chen and the combination of Jou with Chen, fail to teach, suggest or make obvious the system and method of frame classification using a clamp output IIR filter for a predetermined range of inputs. Chen implements a IIR filter which is particularly complicated in light of the fact that application is to digital video. Additionally, as pointed out in a previous response, Chen concerns non-analogous art.

In view of the amendment and remarks, this application is submitted as being in a condition for allowance. Favorable action is respectfully requested. Applicants therefore respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Under 37 CFR §1.34(a)

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